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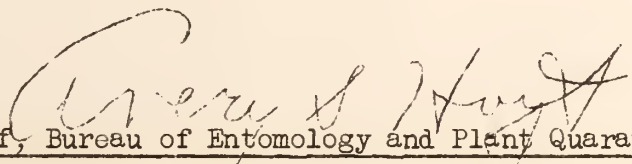
B. E. P. Q. 402, 2d Revision

PLANT-QUARANTINE IMPORT RESTRICTIONS
OF THE
REPUBLIC OF AUSTRIA

This revised summary of the plant-quarantine import restrictions of Austria has been prepared for the information of nurserymen, plant quarantine officials, and others interested in the exportation of plants and plant products to that country.

The circular was prepared by Richard Faxon, Division of Plant Quarantines, from a translation of the Austrian Plant Protection Law of June 2, 1948, and an order of the Ministry of Agriculture and Forestry, of October 5, 1949, furnished by Dr. Ferdinand Beran, Director of the Office of Plant Protection in Vienna.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts, and it is not to be interpreted as legally authoritative.


Chief, Bureau of Entomology and Plant Quarantine



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PLANT-QUARANTINE IMPORT RESTRICTIONS

OF AUSTRIA

BASIC LEGISLATION

International Phylloxera Convention of November 3, 1881 (RGr. No. 105/1882 and later phylloxera decrees up to September 10, 1919.

Plant Protection Laws with regulations of July 12, 1929 (BGr. No. 252), of March 5, 1937 (RGr. I), and the Law of June 2, 1948 which charges the Ministry of Agriculture and Forestry with working out and application of the law. It empowers that Ministry to issue orders in connection with the Ministries of Finance, Trade and Reconstruction, in the interest of Austrian plant protection, totally prohibiting the importation or transit of plants or plant products which may be carriers of plant diseases or pests from abroad, or allowing their importation through the department under stipulated conditions.

IMPORT AND TRANSIT RESTRICTIONS TO PREVENT THE INTRODUCTION
OF DANGEROUS PLANT DISEASES AND PLANT PESTS

(Order No. 246 of the Ministry of Agriculture and Forestry, October 5, 1949).

A. IMPORTATION PROHIBITED

1. Articles of any kind which carry a dangerous plant pest or disease and by means of which such pests and diseases could be introduced, will not be allowed importation or transit.
2. The importation of the following articles is prohibited:
 - a. Earth, manure, and compost.
 - b. Rooted carnations and carnation cuttings.
 - c. Cut flowers of carnation from March 15 to November 30.
 - d. Plants of the genera Abies, Picea, Pinus, Pseudotsuga, Tsuga, Ulmus, and Populus, as well as cuttings, layers scions, and other parts with bark of these plants.
 - e. Stems, leaves, and roots of tomatoes, potatoes, and eggplants.
 - f. Beets and mangolds (Beta vulgaris), except the seeds and topped beet roots.

B. IMPORTATION RESTRICTED

Fruits

3. (1) The importation of pome fruits (apple, pear, quince, and medlar) is permitted if the health certificate shows that the commodity is free from San Jose scale (Quadraspidotus perniciosus), Mediterranean fruit fly (Ceratitis capitata), and apple maggot (Rhagoletis pomonella).

(2) The importation of stone fruits (apricot, peach, damson plum, prune, plum, cherry) is permitted if the health certificate shows that the commodity is free from San Jose scale and Mediterranean fruit fly.

(3) During the period from October 15 to April 15 fruit may be imported without the statement concerning San Jose scale.

Potatoes

4. (1) The importation of potatoes is permitted if the certificate of origin and health shows the following:

- a. The commodity is free from earth,
- b. The commodity is free from potato wart (Synchytrium endobioticum), Colorado potato beetle (Leptinotarsa decemlineata), and potato tuber worm (Gnorimoschema operculella),
- c. Potato wart has not occurred within 5 kilometers of the place of origin for the last 5 years, and
- d. The tubers measure at least 3.5 cm. at the smallest diameter.

(2) The importation of seed potatoes, without prejudice to the stipulations of paragraph (1), is permitted only in unused bags, if the variety and grade are declared, and it is certified that the potatoes originated on a farm which is free from virus diseases, with the exception of mild mosaic.

Fruit Trees, etc.

5. The importation of fruit trees, fruit bushes, and other deciduous trees and shrubs, with the exception of elm (Ulmus) and poplar (Populus), including their cuttings, slips, scions, and layers, is permitted under the following conditions:

- a. A certificate of origin and health must show that the plants are free from earth and San Jose scale.

In the case of importations of peach trees or scions, the certificate must also confirm that the commodity is free from virus diseases of peach, and that the establishment from which they came is free from such diseases.

- b. An import permit from the Ministry of Agriculture and Forestry in Vienna must be presented, and the conditions of this import permit fulfilled.

Plants with Soil

6. The importation of living plants and plant parts with balls of earth is permitted if an import permit from the Ministry of Agriculture and Forestry in Vienna is presented and the conditions of this permit are fulfilled.

Strawberry Plants

7. (1) The importation of strawberry plants and runners without balls of earth is permitted if the certificate of origin and health shows that the commodity is free from virus diseases and comes from stock which is free from strawberry virus diseases.

(2) In case of importation of strawberry plants with balls of earth, the conditions of paragraph (1) and regulation 6 also apply.

Cut Flowers, Vegetables, etc.

8. The importation of cut flowers and greenery, as well as fresh leafy and root vegetables, such as turnips, beets, cabbage, kale, spinach, lettuce, parsley, onion, leek, garlic, carrot, asparagus, radish, as well as fresh tomatoes and eggplants, is permitted only during the period from April 1 to October 31, and the certificate of origin and health must show that the shipment is free from Colorado potato beetle.

Flower Bulbs and Tubers

9. The importation of bulbs and tubers of flowers is permitted when a certificate of origin and health certifies that such materials are

- a. Free from soil;
- b. Free from Colorado potato beetle (Leptinotarsa decemlineata); and
- c. Free from yellow hyacinth disease (Pseudomonas hyacinthi), black rot (Sclerotinia bulborum), gray bulb rot (Sclerotium tuliparum), fire disease (Botrytis tulipae), bulb nematode (Tylenchus dipsaci), narcissus bulb flies (Merodon sp., Eumerus sp.), and bulb mite (Rhizoglyphus echinopus).

Roots, Rhizomes, etc.

10. (1) The importation of other plants or plant parts, wholly or in part growing underground (perennial herbs, roots, tubers, rhizomes, and the like), is permitted if they are free from earth.

(2) "Free from earth," in the sense of this order, is a commodity to which the earth is not adhering in such great quantity that it could contain noxious pests, such as any stages of insects. Unimportant earth residue, such as ordinarily adheres to potatoes, plant roots, and the like, does not fall under the restrictive regulations.

Plants from Japanese Beetle Areas

11. From outer European countries, except those bordering the Mediterranean Sea, the importation of plants and plant parts (except cereals, legumes, and other seeds, dried and cured plants and plant parts, ground products, concentrates, and other processed products), without prejudice to regulations 3-10, is permitted only if a certificate of origin accompanies the shipment showing that no Japanese beetle (Popillia japonica Newm.) has occurred within a radius of 50 kilometers.

C. EXCEPTIONS AND SPECIAL RESTRICTIONS

12. Importations via border traffic of 15 kilograms of fruits and vegetables in travelers' baggage for household use, and cut flowers, conifers, wreaths, and Christmas trees of conifers without roots and earth, are permitted.

13. Shipments in transit are permitted under customs seal in new cases or sealed cars.

Permitted Shipments

14. The Ministry may permit the importation and transit of articles covered by regulations 2-11, if such movement carries no danger of introducing pests or diseases.

Certificate Requirements

15. (1) The certificate of origin and health must contain, in addition to the required certifications mentioned from time to time in regulations 3-11, the following declaration:

- a. Name and address of the shipper.
- b. Name and address of the receiver.
- c. Description of the commodity;
Kind of plants (plant parts), with seed potatoes, vines, fruit trees, and fruit stocks, also the variety and respective type;
Place of origin (province of country, etc.);
Weight of the goods;
Number and kind of packages, and if required the number of plants;
If required, the marking of the package;
Marking of bill of lading (for example, the car number);
Date of inspection and certification.

(2) The certificate of origin and health must be translated into German if it is not drawn up in that language.

(3) The date on the certificate may not be prior to three weeks before date of shipment.

(4) The certificate must be provided with a signature and a clearly legible seal executed by the authorized plant protection service of the exporting country.

Alternative Certification

16. In place of the certification of freedom of the commodity from designated diseases and pests, it will suffice for the authorized plant protection service of the exporting country to attest that these diseases and pests do not occur in the country of origin.

Application for Permit

17. The application for granting an import and transit permit should be made (by the importer) to the Ministry of Agriculture and Forestry in Vienna, indicating (in the case of import permits) the address of the importer; the name and address of the supplier; the quantity and kind of plants to be imported; a statement whether the plants will arrive with or without balls of earth; and a statement whether the goods are intended for personal use or as a gift. An application for a transit permit must contain the address of the importer; the source, quantity, and kind of the plants (plant parts) in transit; the kind of packing; and designation of the Austrian transit station.

Non-Compliance

18. Shipments which do not meet the requirements of regulations 3-11, 13, 15, and 16, may be forwarded to an inspection station of the plant protection service, under customs custody, for examination.

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